

PATENT Attorney Docket No. 056291-5245

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BARLAAM et al.	)
Application No.: 10/572,794	) Group Art Unit: Unassigned
Filed: <b>March 21, 2006</b>	) Examiner: Unassigned
For: QUINAZOLINE DERIVATIVES AS ANTIPROLIFERATIVE AGENTS	) ) Date: September 13, 2006

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

# Citation of Technically Related U.S. Patent Applications

The Examiner's attention is directed to the following technically related U.S. patents or applications of Applicants' assignee:

Inventor	U.S. Serial No.	U.S. Patent No.	PCT Publication No.
	Filing Date	Issue Date	PCT Publication Date
Bradbury et al.	10/508,675		WO 03/082831
	September 22, 2004		October 9, 2003
Hennequin et al	10/555,085		WO 2004/096226
	October 31, 2005		November 11, 2004
Hennequin	10/566,841		WO 2005/013998
	February 2, 2006		February 17, 2005
Bradbury et al.	10/571,991		WO 2005/028469
	March 15, 2006		March 31, 2005
Bradbury et al.	10/572,048		WO 2005/028470
	March 15, 2006		March 31, 2005
Hennequin et al.	10/572,261		WO 2005/026157
	March 16, 2006		March 24, 2005
Hennequin <i>et al</i> .	10/572,303		WO 2005/026156
	March 17, 2006		March 24, 2005
Hennequin et al.	10/573,090		WO 2005/026150
	March 15, 2006		March 24, 2005

Inventor	U.S. Serial No.	U.S. Patent No.	PCT Publication No.
	Filing Date	Issue Date	PCT Publication Date
Bradbury et al.	10/573,352		WO 2005/030757
	March 24, 2006		April 7, 2005
Delouvrie et al.	10/586,965		WO 2005/075439
	25-Jul-2006		August 18, 2005
Bradbury et al.	10/857,342		
	June 1, 2004		
Hennequin et al.	11/443,395		WO 03/040109
	May 31, 2006		May 15, 2003

With the exception of U.S. 10/857,342 (U.S. Publication No. 20050165035, copy not provided), a copy of the specification and claims for each application, in the form of the published PCT application from which such application was filed is being filed herewith. Consideration of each listed application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants request the Examiner to consider this Information Disclosure Statement and documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

With the exception of U.S. Patents and Publication, copies of the listed documents are attached. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due

Attorney Docket No.: 056291-5245

Application No. 10/572,794

Page 3

under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a

CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R.

By:

§1.136(a)(3).

Respectfully Submitted,

Morgan/Lewis &/Bockius I/

Date: September 13, 2006

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#### INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Attorney Docket No. **056291-5245** 

Application No. 10/572,794

Applicants: BARLAAM et al.

PTO Form 1449 September 13, 2006

Filing Date: March 21, 2006

Group Art Unit: Unassigned

PATENT	DOCUN	MENTS
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Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	1.	US 20020082270	June 27, 2002	Himmelsbach et al.	514	266.2	August 22, 2001
	2.	US 20020128553	September 12, 2002	Mishani et al.	600	431	March 12, 2001
	3.	US 20040048880	March 11, 2004	Himmelsbach et al.	514	266.2	March 27, 2003
	4.	US 20040176361	September 9, 2004	Fujio et al.	514	224.2	February 24, 2004
	5.	US 20050165035	July 28, 2005	Bradbury et al.	514	266.22	June 1, 2004
	6.	US 4,335,127	June 15, 1982	Vandenberk et al.	514	266.22	October 12, 1979
	7.	US 4,921,863	May 1, 1990	Sugimoto et al.	514	319	February 17, 1988
	8.	US 5,457,105	October 10, 1995	Barker	514	234.5	August 2, 1994
	9.	US 5,616,582	April 1, 1997	Barker	514	234.5	June 15, 1995
	10.	US 5,747,498	May 5, 1998	Schnur et al.	514	266.4	May 28, 1996
	11.	US 5,770,599	June 23, 1998	Gibson	514	228.2	April 26, 1996
	12.	US 6,297,258	October 2, 2001	Wissner et al.	514	313	August 1, 2000
	13.	US 6,562,319	May 13, 2003	Mishani et al.	424	1.81	March 12, 2001
	14.	US 6,972,288	December 6, 2005	Himmelsbach et al.	514	234.8	February 6, 2002

#### FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub-Class	Translation
15.	EP 0 288 563	May 11, 1994	EPO			
16.	EP 0 566 226	November 8, 1995	EPO			
17.	EP 0 837 063	April 22, 1998	EPO			
18.	EP 1 230 919	August 14, 2002	EPO			
19.	EP 1 369 418	December 10, 2003	EPO			
20.	WO 88/02365	April 7, 1988	WIPO			US 4,921,863
21.	WO 96/09294	March 28, 1996	WIPO			
22.	WO 96/30347	October 3, 1996	WIPO			
23.	WO 96/33977	October 31, 1996	WIPO			
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26.	WO 96/33980	October 31, 1996	WIPO			
27.	WO 96/33981	October 31, 1996	WIPO			
28.	WO 96/39145	December 12, 1996	WIPO			
29.	WO 97/03069	January 30, 1997	WIPO			
30.	WO 97/30034	August 21, 1997	WIPO			
31.	WO 97/30035	August 21, 1997	WIPO			
32.	WO 97/30044	August 21, 1997	WIPO	<u> </u>		
33.	WO 97/38983	October 23, 1997	WIPO			
34.	WO 97/38994	October 23, 1997	WIPO			
				-		

#### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

#### INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449 September 13, 2006 Attorney Docket No 056291-5245 Application No. 10/572,794

Applicants: BARLAAM et

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Group Art Unit: Unassigned

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Initial	Document No.	Date	Name	Class	Sub-Class	Filing Date
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			TENT DOCUMENTS			
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37		February 11, 1999	WIPO		<u>.</u>	
38		July 15, 1999	WIPO			
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41		August 3, 2000	WIPO			
42		September 21, 2000	WIPO			
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45	WO 01/21596	March 29, 2001	WIPO			
46	WO 01/21597	March 29, 2001	WIPO			
47	WO 01/77085	October 18, 2001	WIPO			
48	WO 01/98277	December 27, 2001	WIPO			
49	WO 02/24684	March 28, 2002	WIPO			
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51	WO 02/34744	May 2, 2002	WIPO			
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53.	WO 02/44166	June 6, 2002	WIPO			
54.	WO 02/48117	June 20, 2002	WIPO			
55.	WO 02/056882	July 25, 2002	WIPO			
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57.		September 6, 2002	WIPO			
58.	WO 02/073235	September 19, 2002	WIPO		<del> </del>	
59.	WO 02/076976	October 3, 2002	WIPO		<del>                                     </del>	
60.	WO 02/092577	November 21, 2002	WIPO		<del>                                     </del>	
61.	WO 02/092578	November 21, 2002	WIPO			
62.	WO 02/097490	December 5, 2002	WIPO		†	
63.	WO 03/024448	March 27, 2003	WIPO		1	
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65.		June 19, 2003	WIPO			
66.		October 9, 2003	WIPO		<del>                                     </del>	US 20040048880
67.		October 9, 2003	WIPO			22 200 100 10000
68.	WO 2004/006846	January 22, 2004	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner

Date Considered

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Attorney Docket No. Application No. 056291-5245 INFORMATION DISCLOSURE CITATION LLD/572,794 (Use several sheets if necessary) Applicants: BARLAAM et al. PTO Form 1449 **September 13, 2006** Filing Date: March 21, 2006 Group Art Unit: Unassigned U.S. PATENT DOCUMENTS Initial Document No. Date Name Class Sub-Class Filing Date FOREIGN PATENT DOCUMENTS Document No. Date Country Class Sub-Class Translation 69. WO 2004/064718 August 5, 2004 WIPO WO 2004/096226 70. November 11, 2004 WIPO 71. WO 2005/013998 February 17, 2005 WIPO 72. WO 2005/026150 March 24, 2005 WIPO 73. WO 2005/026156 March 24, 2005 WIPO 74. WO 2005/026157 March 24, 2005 WIPO 75. WO 2005/028469 March 31, 2005 WIPO 76. WO 2005/028470 March 31, 2005 WIPO 77. WO 2005/030757 April 7, 2005 WIPO 78. WO 2005/075439 August 18, 2005 WIPO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) Stamos et al. "Structure of the Epidermal Growth Factor Receptor Kinase Domain Alone and in Complex with a 4-Anilinoquinazoline Inhibitor" J. Biol. Chem. 277(48):46265-46272 (2002) Traxler et al. "Protein tyrosine kinase inhibitors in cancer treatment" Exp. Opin. Ther. Patents 7(6):571-588 (1997) Traxler et al. "Tyrosine kinase inhibitors in cancer treatment (Part II)" Exp. Opin. Ther. Patents 8(12):1599-1625 Tsou et al. "6-Substituted-4-(3-bromophenylamino)quinazolines as Putative Irreversible Inhibitors of the Epidermal 82. Growth Factor Receptor (EGFR) and Human Epidermal Growth Factor Receptor (HER-2) Tyrosine Kinases with Enhanced Antitumor Activity" J. Med. Chem. 44:2719-2734 (2001) Vema et al. "Design of EGFR kinase inhibitors: a ligand-based approach and its confirmation with structure-based studies" Bioorg Med Chem. 11(21):4643-4653 (2003)

Examiner Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.